IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 26 of 1998

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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DHIRENDRAKUMAR CHIMANLAL GOR - Petitioner(s)
Versus
STATE OF GUJARAT & 4 - Respondent(s)

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Appearance :

MRS KETTY A MEHTA for Petitioner(s) : 1,
Ms. Archana Raval, AGP for Respondent(s) : 1 - 2.
MR KB PUJARA for Respondent(s) : 3,
M/S THAKKAR ASSOC. for Respondent(s) : 4,
MR BHARGAV N BHATT for Respondent(s) : 5,

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH
Date : 07/10/2006

ORAL JUDGMENT

By way of this petition under Article 226 of the Constitution of India, the petitioner has prayed for an appropriate order quashing and

setting aside the order by which the petitioner was appointed on the post of Officer on Special Duty at Gandhi Labour Institute. During the pendency of the Special Civil Application, there was a stay of the said order. Today, when the matter is called out, Ms. Archana Raval, learned AGP has submitted that on the basis of the instruction given to her by Under Secretary, Labour and Employment Department dated 5.10.2006 that the petitioner has already retired on attaining the age of superannuation on 31.12.2003. She has produced on record one communication dated 5.10.2006 addressed to her, which is directed to be taken on record. In view of the above and in view of the fact that the petitioner has already retired on attaining the age of superannuation, no further order is required to be passed by this Court, as by afflux of time the petition has become infructuous. Accordingly, this petition is dismissed as having

become infructuous by afflux of time. Rule is discharged. Ad-interim relief stands vacated.

[M.R. Shah, J.]

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